

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
EASTERN

Hector Gonzalez

(In the space above enter the full name(s) of the plaintiff(s).)

-against-

New York Police Department
83 Police Department
John Doe #1 - Police Officer
John Doe #2 - Police Officer

AMENDED
COMPLAINT

Jury Trial: Yes No
(check one)

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.

★ MAR 05 2009

BROOKLYN OFFICE

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PRO SE OFFICE

I. Parties in this complaint:

A. List your name, address and telephone number. If you are presently in custody, include your identification number and the name and address of your current place of confinement. Do the same for any additional plaintiffs named. Attach additional sheets of paper as necessary.

Plaintiff Name Hector Gonzalez CG-R-1425
Street Address Down State Correctional Facility - Box F Red School Road
County, City Fishkill
State & Zip Code New York, 12524-0445
Telephone Number _____

B. List all defendants. You should state the full name of the defendant, even if that defendant is a government agency, an organization, a corporation, or an individual. Include the address where each defendant may be served. Make sure that the defendants listed below are identical to those contained in the above caption. Attach additional sheets of paper as necessary.

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Defendant No. 1

Name 83 Precint
Street Address _____
County, City Brooklyn, New York King County _____
State & Zip Code New, York _____
Telephone Number _____

Defendant No. 2

Name John Doe #1
Street Address 83 Police Precnt
County, City King County Brooklyn
State & Zip Code New York
Telephone Number _____

Defendant No. 3

Name John Doe #2
Street Address _____
County, City Kings County, Brooklyn
State & Zip Code New York
Telephone Number _____

Defendant No. 4

Name _____
Street Address _____
County, City _____
State & Zip Code _____
Telephone Number _____

II. Basis for Jurisdiction:

Federal courts are courts of limited jurisdiction. Only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case involving the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one state sues a citizen of another state and the amount in damages is more than \$75,000 is a diversity of citizenship case.

A. What is the basis for federal court jurisdiction? (check all that apply)

Federal Questions Diversity of Citizenship

B. If the basis for jurisdiction is Federal Question, what federal Constitutional, statutory or treaty right is at issue? _____

C. If the basis for jurisdiction is Diversity of Citizenship, what is the state of citizenship of each party?

Plaintiff(s) state(s) of citizenship _____

Defendant(s) state(s) of citizenship _____

III. Statement of Claim:

State as briefly as possible the facts of your case. Describe how each of the defendants named in the caption of this complaint is involved in this action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Attach additional sheets of paper as necessary.

A. Where did the events giving rise to your claim(s) occur? Linden strand Wycoff. Av
Brooklyn, NY

B. What date and approximate time did the events giving rise to your claim(s) occur? July 24, 2008 app 1:30 AM

C. Facts: SEE Attached

What happened to you?

Who did what?

Was anyone else involved?

Who else saw what happened?

IV. Injuries:

If you sustained injuries related to the events alleged above, describe them and state what medical treatment, if any, you required and received. l-inch cut on eye, bruised Rib, Cut on head, Fractured nose(Broke)

V. Relief:

State what you want the Court to do for you and the amount of monetary compensation, if any, you are seeking, and the basis for such compensation. 5,000,000.00 million Dollars

Compensation. I would like the officers John Doe #1 and John Doe #2 fired from the job.

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I declare under penalty of perjury that the foregoing is true and correct.

Signed this 18 day of Dec., 2003.

Signature of Plaintiff

Mailing Address

Hector Gonzales

856 Willoughby Ave

Brooklyn N.Y. 11221

Apt 2L

Telephone Number

Fax Number (if you have one)

Note: All plaintiffs named in the caption of the complaint must date and sign the complaint. Prisoners must also provide their inmate numbers, present place of confinement, and address.

For Prisoners:

I declare under penalty of perjury that on this 17 day of Dec, 2008 I am delivering this complaint to prison authorities to be mailed to the *Pro Se* Office of the United States District Court for the Southern District of New York.

Signature of Plaintiff:

Inmate Number

Hector Synder
16 Dec 1912

06-B-1425

On July 24, 2008 at approximately 1:30 AM, I, Hector Gonzalez was at a local bodaga (store) on the corner of Linen Street & Wycoff Brooklyn, New York, A patrol New York City Police car pulled up in front of the store, two N.Y.P.D officers exited the car, officer John Doe #1 (Spanish)-(32 to 36 age) & John Doe #2 (White Male) [bald] (35 to 41 age). The officers approached me with there hands on there guns. John Doe #1 stated, "If you move motherfucker I'll kill you." I, Hector Gonzalez, remained still and compliant with the officers demands. I asked the officers, "What's the problem, why are you searching me?" John Doe #1 grabbed me slamming me to the concrete sidewalk stating, "Didn't we tell you to shut the fuck up." John Doe #1 punched me in my eye while I was on the ground, splitting my eye open. John Doe #2 punched me in my face and head. John Doe #1 began kicking me in my face and breaking my nose stating, "Shut the fuck up." John Doe #1 and John Doe #2 continued beating me for several minutes while I was on the ground. I begged and cried for the officers to stop. There were also witnesses who were pleading with the officers to (Stop!) the beating. (They will testify to this at trial).

I was arrested and thrown into the police car unconscious, bleeding, broken nose, and bruised.

I was taken to the 83 precinct in Brooklyn, New York on Knicker Blocker and Bleeker avenue. I was thrown in a holding cell and denied Medical treatment. I was told if I went to the hospital, ("The police would kill me!") An hour later I was found unconscious in the holding cell. I was taken to Woodhall Hospital in Brooklyn, New York on Broadway and Flushing avenue. I was treated for my injuries.

Internal Affairs came to the Precinct and interviewed me. I picked the two officers picture out. John Doe #1 and John Doe #2 signed a statement against me. I was charged with Assault and Resisting Arrest against the officers, the charges were dismissed.

Signature of Plaintiff,

